

## VERSION OF AMENDMENTS WITH MARKINGS TO SHOW CHANGES

### IN THE SPECIFICATION:

The paragraph beginning on page 8, line 17 has been amended as follows:

Referring also to FIG. 2, a graphical interface 62 is shown which integrates the individual windows described in FIG. 1. While the windows are generated as separate functions/entities in the software, [the] they would not appear as separate windows in the graphical interface 62. Thus, it will be appreciated that the windows can be integrated on one interface as shown in FIG. 2 or as separate floating windows as shown in FIG. 1 without departing from the invention.

IN THE CLAIMS:

The claims have been amended as follows:

1. (amended) An apparatus for accessing and displaying multimedia content, comprising:

(a) database means for storing multimedia content records and associated references to media files for a multimedia presentation; and

(b) software engine means, executable on a computer, for seamlessly accessing a content record in said database means and locating and displaying associated media elements referred to in that content record.

7. (amended) An apparatus as recited in claim 1:

wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display.

9. (amended) An apparatus as recited in claim 2:  
wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;  
wherein said software engine is configured to read said custom tag;  
wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;  
wherein said software engine reads said multimedia content record; and  
wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display.

11. (amended) An apparatus as recited in claim 3:  
wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;  
wherein said software engine is configured to read said custom tag;  
wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;  
wherein said software engine reads said multimedia content record; and  
wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display.

13. (amended) An apparatus as recited in claim 4:  
wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;

wherein said software engine is configured to read said custom tag;  
wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;  
wherein said software engine reads said multimedia content record; and  
wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display.

15. (amended) An apparatus as recited in claim 5:  
wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;  
wherein said software engine is configured to read said custom tag;  
wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;  
wherein said software engine reads said multimedia content record; and  
wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display.

17. (amended) A method as recited in claim 6:  
wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;  
wherein said software engine is configured to read said custom tag;  
wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and  
wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display.

18. (amended) [An apparatus] A method as recited in claim 17:

wherein said software engine generates a temporary local copy of at least a portion of a content page from that multimedia content record for display; and  
wherein said displayed content page contains at least one custom tag for further navigation.

19. (amended) An apparatus for accessing and displaying multimedia content, comprising:

a database containing multimedia content records and references to media files for a multimedia presentation; and

a software engine, executable on a computer, said software engine seamlessly accessing a content record in said database and locating and displaying media elements referred to in that content record;

wherein at least one of said multimedia content records includes [a field that contains] at least one custom tag;

wherein said software engine is configured to read said custom tag;

wherein said custom tag instructs said engine to fetch a corresponding multimedia content record from said database;

wherein said software engine reads said multimedia content record; and

wherein said software engine generates a temporary local copy of at least a portion of a content page from that multimedia content record for display;

wherein said at least said portion of said content page is passed to [a browser component of said software engine and displayed] an interface program for display; and

wherein said displayed content page contains at least one custom tag for further navigation.

## REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Objection to Claim 18 for informalities.

The preamble of dependent Claim 18 has been amended by changing “apparatus” with “method” for consistency with its base claim.

2. Rejection of Claims 1-19 under 35 U.S.C. §103(a).

The Examiner rejected Claims 1-19 as reciting subject matter which would have been obvious to one of ordinary skill in view of the combined teachings of Katseff et al. (U.S. No. 5,822,537) and Logan et al. (U.S. No. 6,199,076). In support of the rejection, the Examiner has combined what could be generally regarded as a network congestion compensation technique that is particularly applicable to the delivery of multimedia content with what is generally an audio scripting mechanism that provides for scheduled playback of a user selected set of audio components.

In response, the Applicant respectfully traverses the rejection in general because the cited combination (i) does not teach, suggest or provide motivation or incentive for attempting the combination to arrive at the invention recited in the Applicant's claims, and (ii) would be unworkable and not result in the Applicant's invention as claimed. The rejection follows a similar pattern as that previously traversed by the Applicant in response to the prior Office Action with regard to Hoffert et al. (U.S. No. 5,903,892) and May et al. (U.S. No. 5,44,354) wherein a device directed toward so called “seamless” accessing of multimedia content was combined with a “software engine means”. In the present case, the combination of Katseff et al. and Logan et al. does not arrive at the

Applicant's invention, the combination is unworkable, and there is no suggestion or motivation which may be derived from the references for attempting such a combination.

The Applicant respectfully calls to the attention of the Examiner that neither of the cited references operates on "multimedia content records" as described and claimed by the Applicant, or provides for the playback of multimedia content of various types, or supports the "seamless" (as that term is used within application) playback of multimedia elements as retrieved from a mixture of sources as recited in the Applicant's claims. The use of a marked up text document, such as HTML, marked up with custom tags controlling playback and the selection of differing sources is not taught by the cited references. The office action is lacking in descriptive information as to how such a combination could be created, however, since these elements are not described in either of the references, it is clear that Applicant's invention can not result from the cited combination. It will be appreciated that supporting an obviousness rejection requires combining elements of the cited references, based on some suggestion or motivation therein, to arrive at Applicant's invention without rendering the references unsuited for their purpose, or altering their principles of operation. The obviousness rejection of Claims 1- 19 fails in each of these regards.

Therefore, the Applicant respectfully traverses the rejection of Claims 1-19 for the reason that the Applicant considers the cited references to have been misapplied by the Examiner. The Applicant respectfully submits that the cited references, when combined, do not disclose the elements of Claims 1-19 or render those claims obvious. There is no teaching, suggestion, motivation, or incentive that can be derived from the



cited references to attempt the combination, while the attempt remains impotent as it would not result in Applicant's invention as recited in the pending claims.

Claims 1 and 2: The Examiner indicates that "Katseff et al. discloses database means for storing multimedia content records and references to media files for a multimedia presentation and displaying media elements referred to in that content record", and concludes that it would have been obvious to combine this with the purported "multimedia engine" aspect of Logan et al. to arrive at Applicant's invention.

Turning first to Katseff et al., the Applicant respectfully disagrees with the Examiner's conclusion that the reference discloses a database containing, or means for storing, multimedia content records and references to media files for a multimedia presentation. In support of the rejection, the Examiner refers the Applicant to the abstract; col. 4, lines 1-39; col. 5, lines 7-65; col. 6, lines 45-67; col. 7, lines 1-25, col. 8, lines 18-67, col. 9 lines 1-67, and col. 10, lines 1-8, as well as FIG. 5, and FIG. 9, and col. 8, lines 40-67). However, while the abstract refers to "a networked multimedia information system which may be utilized to record, store, and distribute multimedia presentations" (e.g., content), and "supplemental materials that may be referenced during the presentation", the abstract says nothing about a database that contains multimedia content records and references to media files within those content records for a multimedia presentation, as recited in Applicant's claims.

The disclosure at col. 1, lines 1-39 of Katseff et al. refers only to a distributed information retrieval system which "provides storage and retrieval functions for a collection of databases, such as databases 80, 85, 90, containing still images, such as images of documents, drawings and photographs". However, there is nothing that

describes or even hints at the use of "multimedia content records" as described in the context of Applicant's invention, that stores pointers to multimedia content in a record (HTML with custom tags) within the database, and is configured for retrieving content from various sources, including various locations over a network, local storage, and elements stored on a storage device such as CD or DVD. It should be appreciated that the "content" described within Katseff et al. is singly accessed in the form of files retrieved over a network. The references of col. 5, lines 7-65, and the others (col. 7 lines 1-25, col. 8 lines 18-67, col. 9 lines 1-67, and col. 10 lines 1-8, as well as FIG. 5, and FIG. 9, and col. 8, lines 40-67), also refer to retrieving elements of content from file servers and it should be noted that a collection of files is typically referred to as a database, although it is organized at a different hierarchical level, the hierarchy being typically file, record, and then field. The cited section col. 6, lines 45-67 of the reference refers to storing data from "a camera 330 and/or microphone 355" within a multimedia system. This section further proves the organization as recordings from a camera or a microphone are stored as a file after being received by "input modules 315, 340" for storage on the system. FIG. 5 depicts an object profile for a multimedia object, the profile being retained in a profile database, typically as a record having the fields depicted in FIG. 5, as 410 - 460. FIG. 9 depicts how Katseff et al. assures the playback "synchronization", which is actually more of a prefetch file utility to assure smooth playback. Col. 12, lines 33-67 describes the "continuous media synchronization subroutine" which describes the checks and messages sent that provide the prefetch for compensating for congestion, col. 12, line 66 through col. 13, line 3 even describes

“the event marker as an indication of the file position from which the associated electronic file that contains the recorded blackboard annotations should be restarted.”

Therefore, Katseff et al., which is the primary reference cited by the Examiner, does not teach those aspects of the Applicant's claims which the Examiner asserted the reference teaches. As such, the Applicant respectfully submits that Katseff et. al has been misapplied as a reference and the rejection of Claims 1 and 2, as well as the claims that depend therefrom, should be immediately withdrawn.

The Logan et al. reference provides for distributing scheduled audio programming, wherein a play list is essentially provided to reference the order of audio files to be played. This generally describes script execution by a player application which has been a feature available since DOS and even the CPM operating system for the special case of passing a script containing audio file pointers to an audio player application.

Insofar as relating to the Applicant's invention, the player of Logan et al. checks the script to assure that the files listed in the script are contained in local storage, and if not they are retrieved from areas on the network so that no interruptions occur during playback, see col. 15, lines 3-9. It will be noted here that Logan et al., in similar manner to Katseff et al. does not process “multimedia content records”, but instead downloads files containing audio segments as directed by a recommended program sequence file (col. 8, lines 29-44). The combination of references would not overcome these shortcomings. Furthermore, there is no explicit or implied suggestion, or motivation found in the references to attempt the cited combination.

Applicant's invention, by contrast, as recited in Claim 1 and similarly in Claim 2, stores "multimedia content records", along with "references to media files for a multimedia presentation" and provides a "software engine" for accessing each of these records within the database for the "locating and displaying associated media elements referred to in that content record". It should be recognized that the multimedia content records comprise HTML with embedded custom tags that may provide references to varied sources, such as local (i.e. CD-ROM) and web-served content (i.e. from the Internet), and other content records (see page 3 and 4 of specification). The textual portion of the content records must therefore be copied to a temporary file prior to being passed to an interface program, such as a browser (the frames for which are shown in FIG. 1D, 1F, 1G, 1H, and so forth), as the custom tags could not be interpreted therein. As clearly described, Applicant's claimed invention is directed at different principles of operation for different purposes, and elements of the claim do not appear in either reference, nor are they obvious in view of those references.

In addition, the references do not provide for "seamlessly accessing" (as that term is used in Applicant's invention, such as Page 2, Lines 10 - 20) of any element, much less "content records" which are not described within, or equivalent to, aspects of the cited references. It should be understood that "content records" as referred to within Applicant's invention refer to HTML language into which custom tags are embedded (see pages 3-4 of specification). The "software engine" of the invention being able to process the "content record" for "seamlessly accessing a content record in said database and locating and displaying media elements referred to in that content record". The reference to "seamlessly accessing" being described within the application

(see page 2, lines 10-20) requires that the system not rely on individual components or programs which operate independently to display the media content. The references fail in this regard as well, in that if they receive different forms of media content they fully rely on separate programs, typically conventional plug-ins, for displaying that media content.

Aside from the incorrect interpretations about the teachings of Katseff et al., the cited combination of Katseff et al. with the teachings of Logan et al. would not result in the Applicant's invention. The changes, however much undescribed and unsuggested, for making such a combination toward Applicant's invention would still remain unworkable as they would then render the prior art unsatisfactory for its intended purpose (MPEP 2143.01) and would of necessity alter the principles of operation of the references (MPEP 2143.01). As a consequence, the obviousness rejection lacks support, as Katseff et al. and Logan et al. are completely at odds with one another and the Applicant's invention, using different methodologies to accomplish different purposes with different goals than that of the Applicant's claimed invention.

Furthermore, no teaching, suggestion, motivation or incentive for attempting the combination may be found from the references, which do not even utilize similar principles or objectives than that for which Applicant's invention is directed. And since neither reference, singly or in combination, teaches seamless access of a content record in the database, and locating and displaying media elements referred to in that content record, the only place where a motivation exists for creating the combination is the application itself. Support for a rejection of a claim for obviousness based on a combination of references requires a *prima facie* showing of some teaching,

suggestion, motivation or incentive to combine the references to yield the claimed invention. It is a well-known principle that a suggestion to combine references must come from the references themselves in order to render an invention obvious in light of them (MPEP 2143.01).

Therefore, the cited combination does not teach the Applicant's invention as asserted by the Examiner. Furthermore, neither reference, singly or in combination, suggests or provides motivation or incentive for the invention recited in Applicant's Claims 1-2, or the claims that depend therefrom. As a result, there is nothing in the cited references from which one having ordinary skill in the art would find Applicant's Claims 1 and 2, or the claims that depend therefrom, to be obvious. A failure on any of these necessary aspects for an obviousness rejection (as described above) are sufficient to traverse the rejection, it should be observed that the rejection fails in each of these regards. It has been shown that the cited references of Katseff et al. and Logan et al. have been misapplied toward the obviousness rejection, and the Applicant respectfully requests that the rejection be withdrawn.

Claim 3: The rejection of Claim 3 is a copy of that for Claims 1 and 2; however, the rejection addresses the added element of "a programmable data processor" as recited in Applicant's Claim 3.

The Applicant respectfully submits that the same deficiencies in this rejection exist as were addressed in relation to Claims 1 and 2 above, wherein the rejection of Claim 3 should be withdrawn.

Claim 4: The rejection is the same as for Claims 1 and 2; however, it addresses the "set of instructions for seamlessly accessing a content record in a database and

locating and displaying media elements referred to in that content record". No information is provided as to how these references are to be combined into Applicant's invention, and as both are dependent on the synchronization of continuous media files (ones that have a frame sequence and play over time) to use que points to activate and display other media components, they can not therefore result in applicant's invention. Applicant's invention does not utilize a similar methodology, as it operates on an HTML page-basis for accessing continuous media components independently as a user-driven selection/choice. The meaning of the term "seamless" used in the claim language in relation to the Applicant's invention is described on page 2, lines 10 - 20, it will be recognized that the references singly or in combination do not provide for "seamlessly accessing" or the use of a "content record" as recited in Claim 4.

The rejection falls short in view of the above description and generally following the arguments provided for Claims 1 and 2, above, as the combination does not yield applicant's invention and the references taken singly or in combination do not teach, suggest, or provide motivation or incentive for the operation with multimedia content records as recited in Applicant's Claim 4.

Claim 5: This rejection copies that of Claim 1 and 2 but was rewritten with the body of the Applicant's Claim 5. The Applicant respectfully disagrees with the rejection on similar reasons set forth for Claims 1 and 2, above, and on additional grounds that not all of the limitations in this claim have been considered by the Examiner. The additional limitations have been ignored by being lumped into a "field" within the rejection boilerplate used for rejection of all of the pending claims within this application. Each independent claim, however, should be examined on its own merits - and very

clearly Claim 5 recites limitations not considered by the Examiner and for which there is no teaching, suggestion, motivation or incentive in the cited combination. The cited combination not only lacks a description of the "content records", but it lacks describing "media elements referred to in that content record" as described in the database, and the ability of the software delivery engine for "seamlessly accessing a content record in said database" and does not disclose the selection of remote and local media elements as in "whether said media elements are stored on a local storage device or stored remotely in an internet server".

As the elements of Claim 5 are not provided in the references as shown, either singly or in combinations thereof, Claim 5 is non-obvious in view of those references. Furthermore, the cited references do not, either singly or in combination, suggest or provide motivation or incentive for the invention recited in Applicant's Claim 5.

Therefore, the cited combination does not teach the Applicant's invention as recited in Claim 5 as asserted by the Examiner, and the Applicant respectfully requests that the rejection be withdrawn.

Claim 6: This rejection copies that of Claims 1 and 2 rewritten with the body of Applicant's Claim 6 drawn to a method. As with Claim 5, here the additional limitations of Claim 6 have been ignored; e.g., this claim further recites "locating and displaying media elements referred to in that content record" for which no teaching, suggestion, motivation or incentive can be derived from the cited combination.

Claims 7 and 8: Although these claims depend from Claim 1 and, therefore, are patentable for the same reasons as Claim 1, they also recite a number of limitations which have not been properly addressed in the rejection. The use of "custom tags"



included in a field within a multimedia content record to “instruct said engine to fetch a corresponding multimedia content record from said database” are nowhere to be found in either reference, nor is any equivalent functionality. Furthermore, the display of the content record by an “interface program for display” or similar is also nowhere described in either reference. Claim 8 includes the further limitations of “wherein said software engine generates a temporary local copy of at least a portion of a content page from that multimedia content record for display; and wherein said displayed content page contains at least one custom tag for further navigation.” The “temporary local copies” are not provided by either reference, either singly or in combination, because these references fundamentally provide different functionality in a different manner than Applicant’s invention. Although Logan et al. does utilize custom tags within an HTML file, they do not provide a similar functionality (col. 3, lines 12 - 62; col. 5, line 66 through col. 6, line 21; col. 8, lines 20 - 44). Therefore, Claims 7 and 8 are non-obvious for a number of reasons beyond being dependent on an independent Claim 1 which has been shown to be non-obvious.

Claims 9-18: Although Claims 9-18 are patentable for the reasons that their base claims are patentable as discussed above, these claims also recite a number of limitations that have not been addressed in the rejection. The Examiner has apparently overlooked the recitations of these claims and, as a result, failed to consider the claims as a whole. These claims recite additional elements which cannot be found in the cited combination and for which there is no suggestion, motivation or incentive that can be derived from the cited combination. The rejection of these claims should therefore be

withdrawn, for these reasons as well as for being dependent on independent claims 2 - 6, which have been shown to be non-obvious.

Claim 19: Claim 19 is an independent claim that essentially combines the elements of dependent Claims 7 and 8 with independent Claim 2. Therefore, Claim 19 is also patentable for the reasons set forth above.

3. The Rejection of Claim 1 is Improper under *In re Donaldson*.

Furthermore, with regard to Claim 1 only, the Applicant respectfully reminds the Examiner that Claim 1 is written in means plus function format. Accordingly, under *In re Donaldson*, Claim 1 must be construed to mean the structure described in the specification and its equivalents. When properly interpreted under *In re Donaldson*, Claim 1 clearly distinguishes over the cited combination of Katseff et al. and Logan et al., and those references do not suggest, teach or provide motivation or incentive for the invention recited in Claim 1.

The Examiner has made no determination of the scope of the means plus function language based on the Applicant's specification or made a proper comparison under *In re Donaldson*. The Applicant respectfully traverses the grounds for rejection, and cites *In re Donaldson*, 16 F.3d 1189, 1193 (Fed. Cir. 1994)(en banc) as the basis for the traversal. Claim 1 is written in means plus function form pursuant to 35 U.S.C. §112, sixth paragraph, and therefore, must be interpreted during examination under *In re Donaldson*.

In rejecting Claim 1, the Examiner made no specific fact findings as to the scope of equivalents for the means plus function elements in the claim. Instead, the Examiner

appears to have followed the provisions of MPEP § 2183 ("Making a Prima Facie Case of Equivalence"), which states:

If the examiner finds that a prior art element performs the function specified in the claim, and is not excluded by any explicit definition provided in the specification for an equivalent, the examiner should infer from that finding that the prior art element is an equivalent, and should then conclude that the claimed limitation is anticipated by the prior art element. The burden then shifts to applicant to show that the element shown in the prior art is not an equivalent of the structure ... disclosed in the application. *In re Mulder*, 716 F.2d 1542, 219 U.S.P.Q. 189 (Fed. Cir. 1983). No further analysis of equivalents is required of the examiner until applicant disagrees with the examiner's conclusion, and provides reasons why the prior art element should not be considered an equivalent.

While the Examiner appears to have followed the provisions of MPEP §2183, such provisions are contrary to Federal Circuit law. The Federal Circuit has held that an examiner "construing means-plus-function language in a claim must look to the specification and interpret that language in light of the corresponding structure ... described therein, and equivalents thereof," *In re Donaldson*, 16 F.3d 1189, 1193 (Fed. Cir. 1994)(en banc), and in so ruling expressly denied that "the PTO is exempt from this mandate." *Id.* The Federal Circuit added that it was specifically overruling any precedent that suggested or held to the contrary. *Id.* at 1193-94. In response to the PTO's argument that the court's ruling conflicted with the principle that a claim should be given its broadest reasonable interpretation during prosecution, the Federal Circuit held that the Donaldson decision was setting "a limit on how broadly the PTO may construe means-plus-function language under the rubric of 'reasonable interpretation.'" *Id.* at 1194. In other words, an examiner's claim interpretation is not "reasonable" if it is not based on the specification's description of the implementation of the means element of the claim. The court then said, "Accordingly, the PTO may not disregard the

structure disclosed in the specification corresponding to such [means-plus-function] language when rendering a patentability determination. " *Id.* at 1195.

Here, as in *Donaldson*, the Examiner is required by statute to look to the Applicant's specification and construe the "means" language as referring to corresponding means disclosed in the specification and equivalents thereof." See *id.* at 1195. However, the Examiner did not construe the means language of these claims, however. Nor did the Examiner find, on the basis of specific facts of record here, that the means disclosed in the Applicant's specification were equivalent to that of the cited references. Instead, as prescribed by MPEP §§ 2183-84, the Examiner simply presumed equivalence. The presumption methodology used here, which the MPEP prescribes, clearly conflicts with the requirements of the Federal Circuit's *Donaldson* decision. The approach taken by the Examiner in this case also conflicts with *In re Bond*, 931 F.2d 831 (Fed. Cir. 1990).

The very point of these cases is that, in this context, limitations from the specification control the interpretation of the claim. Under §112, paragraph 6, a means-plus-function element of a claim must be construed to mean that which is disclosed in the specification and its equivalents. In *Donaldson*, the Federal Circuit said that "our holding does not conflict with the general claim construction principle that limitations found only in the specification of a patent or patent application should not be imported or read into a claim." In other words, the court was saying that a §112, paragraph 6 "means" element does not need to be "imported or read into" a means-plus-function claim because the specification's limitations and their equivalents are already in the claim by virtue of §112, paragraph 6's command. Thus, the Federal Circuit said (16

F.3d at 1195): "What we are dealing with in this case is the construction of a limitation already in the claim in the form of a means-plus-function clause and a statutory mandate on how that clause must be construed."

Based on the foregoing, the Applicant respectfully submits that the rejection of Claim 1 lacks proper foundation and that the rejection should be withdrawn. Claim 1 should have been interpreted in view of the specification as required by *In re Donaldson*.

4. Amendment of Specification.

The Applicant has amended the specification to correct a typographical error discovered while preparing this response, and apologizes for any inconvenience which this may have caused the Examiner.

5. Amendment of Claims 7, 9, 11, 13, 15, 17, 19.

These claims were amended to correct antecedent problems within these dependent claims, and do not narrow the claim scope.

The phrase "a field that contains" within these claims has been eliminated in reference to the custom tags, as it is an unnecessary descriptive term that is not applicable nor described within the application.

The phrase "browser component of said software engine and displayed" has been replaced with "an interface program for display". Although the interface program could be a browser, this term was not directly recited within the description of the invention, although the figures amply represent browser functionality as found within the interface program.

None of the amendments have been made for the purpose of overcoming any ground for rejection or addressing any cited reference. Nor do any of the amendments made narrow the scope of the claims.

6. Addition of Claims 20-32.

Claims 20-32 were added to the application to recite additional and/or different aspects of the invention than found within the original claims.

Claims 20-24 are dependent on Claims 1, 2, 3, 5, and 19 respectively and generally describe what is meant by the language "seamless accessing" as used within the claim construction. This language may be found in the specification at page 2, lines 10-15.

Claim 25 is an independent claim directed to a multimedia delivery engine whose aspects are described in the specification on page 3, line 1 through page 4, line 20.

Claims 26-28 depend from Claim 25 and describe aspects of the varied content described within the independent claim, and found in the specification on page 2, lines 17-20.

Claim 29 is an independent method claim describing the steps for providing the seamless accessing of multimedia content, which follows a pattern as independent Claim 25.

Claims 30-32 are dependent from Claim 29 and are similar to Claims 26-28.

7. Conclusion.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass

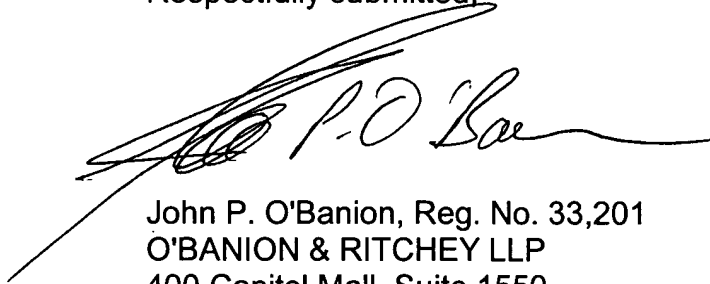
this application to issue.

The Applicant also respectfully requests a telephone interview with the Examiner in the event that there are questions regarding this response, or if the next action on the merits is not an allowance of all pending claims.

Date: \_\_\_\_\_

9/24/02

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J.P. O'Banion", with a long horizontal flourish extending to the right.

John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010